

UNITED STATES BANKRUPTCY COURT
For The Western District of Michigan

in the matter of:

DENNIS M. SIEDLECKI
3835 Ellen Street
Muskegon MI 49444

Debtor.

Case Number: GG 05-01735
Chapter Seven (7) Filed: 02-15-05
Honorable James D. Gregg
Jeff A. Moyer, Trustee

Notice to Creditors and Other Parties in Interest

YOU ARE HEREBY NOTIFIED THAT A **HEARING will** be held at the United States Bankruptcy Court, One Division Avenue, N.W., Third Floor, Courtroom B, **Grand Rapids, Michigan on Wed., July 26, 2006 at 1:30 p.m.** to consider & act upon the following matter:

Trustee's Motion to Sell Debtor's Jewelry Inventory.

a copy of motion is enclosed

If you want the court to consider your views on this matter, attend the hearing on the date stated above.

Your rights may be affected. You should read the documents carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

You or your attorney may wish to file a response to the motion explaining your position. Any response shall be filed with the clerk of the U.S. Bankruptcy Court, One Division Avenue, N.W., Room 200, Grand Rapids MI 49503, and should be received by the clerk at least 3 (three) days before the hearing date. A copy of your response should also be mailed upon the party filing the motion and his/her attorney.

If you or your attorney do not take these steps, the court may decide to grant the relief sought in the motion or petition, and may enter an order granting the relief requested.



Daniel M. LaVille, Clerk of Court

David G. Scalici, Deputy Clerk
Dated: 6-22-06

NOTICE IS HEREBY GIVEN THAT THE COURT MAY, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the continued or adjourned hearing. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be obtained at the clerk's office from the court files or docket.

A copy of this notice & motion forwarded to noticing center for service.
Court to Serve Official Buyer's List.

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In Re:

Case No. GG 05-01735

DENNIS M. SIEDLECKI,

Chapter 7; Filed: 02/15/05

Debtor.

Honorable James D. Gregg

MOTION TO SELL DEBTOR'S JEWELRY INVENTORY

NOW COME Chapter 7 Trustee Jeff A. Moyer, by and through his attorneys, The Bankruptcy Group, Inc., and moves for an order authorizing him to sell the Debtor's inventory of jewelry ("Inventory") under Bankruptcy Code §363 for the following reasons:

1. Dennis M. Siedlecki, d/b/a Precious Metals and Gems, ("Siedlecki" or "Debtor") filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on or about February 15, 2005.
2. Jeff A. Moyer is the duly-appointed, qualified and acting Trustee in the Chapter 7 case.
3. Included among the assets in this estate is the Inventory of the Debtor's sole-proprietorship business, which the Debtor listed in his Schedules and Statement of Financial Affairs.
4. Several parties have previously contacted the Trustee to assert that some of the inventory and jewelry being sold contains property of theirs being held by Siedlecki for consignment sale. When asked to produce photographs, prior bills of sale, other documents evidencing ownership or insurance binders with descriptions of the jewelry covered, only one claimant was able to do so, her ring (being repaired) was definitively identified, and has been released to her by the Trustee.
5. The Trustee has not been presented any secured lien against the inventory, nor has any party asserted they are a secured creditor against the inventory.



6. The Trustee has attempted to sell the Inventory by contacting several local jewelers and offering the Inventory for inspection and appraisal. As a result, the Trustee has received several bids to purchase the Inventory.

7. Based on the various professional opinions of the local jewelers and the bids received, the Trustee believes in his best business judgment that a realistic sale price for the Inventory is between \$5,000.00 and \$10,000.00.

8. Talsma Jewelers ("Talsma") has submitted the highest current bid at \$5,397.75.

9. Neither Talsma nor its CEO Bruce Talsma has any known relationship to the Trustee, his attorneys, the bankruptcy judge, or the U.S. Trustee's Office.

10. The sale of the Inventory shall be made on an "AS-IS, WHERE-IS" basis, with no warranties given of any nature, whatsoever.

11. The Trustee shall convey the Inventory to the buyer by way of a Trustee's bill of sale.

12. The Inventory shall be offered for sale in one lot, with bidding commencing at the amount of the bid of \$5,397.75. Thereafter, bidding will be in increments of no less than \$100.00, with the initial offer to be an amount of at least \$5,500.00. No contingent bids will be received.

13. Closing will occur immediately after the 10-day period for any Order approving this sale becomes final and will require cash, money order or certified funds from the successful purchaser.

14. The Trustee believes that the sale of the Inventory to Talsma, or to such other party that may make a higher bid, is in the best interests of the estate and that it should be approved.

15. Any objections to this sale must be made in writing, and shall be filed with the Bankruptcy Court with a copy served upon counsel for the Trustee at the address set forth below. Any objections must be filed and served no later than three (3) business days prior to the date of the hearing on the approval of the sale.

16. The Trustee further requests that this property be noticed out to the Buyers List for review, consideration and possible competitive bid.

WHEREFORE, the Trustee, Jeff A. Moyer, requests the Court enter an Order granting the following relief:

A. Authorize Jeff A. Moyer to sell the Inventory free and clear of all liens, claims and interests to Talsma, or to such other party that may make a higher or greater bid, as outlined above,

B. Authorize Jeff A. Moyer to sign any necessary closing documents, and

C. Grant such other, further or different relief as may be just and equitable under the circumstances.

Respectfully submitted,

THE BANKRUPTCY GROUP, INC.

Dated: June 19, 2006

By: 

Mitchell J. Hall (P64064)

Business Address:
2757-44th Street SW, Suite 304BB
Wyoming, MI 49519
(616) 724-1890

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In Re:

Case No. GG 05-01735

DENNIS M. SIEDLECKI,

Chapter 7; Filed: 02/15/05

Debtor.

ORDER APPROVING SALE OF DEBTOR'S JEWELRY INVENTORY

At a session of said Court of Bankruptcy, held in said
district on _____.

PRESENT: HONORABLE JAMES D. GREGG
U.S. BANKRUPTCY JUDGE

The Trustee having filed a Motion to Sell Debtor's Jewelry Inventory; a copy of the motion having been served upon all creditors appearing on the matrix in this case; the Court finding that service is proper under the Bankruptcy Rules; the Court further finding that approval of the sale is in the best interest of the creditors, and the sale should be confirmed; no adverse interest appearing; the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Trustee is authorized to sell the Inventory free and clear of all liens, claims and interests in accordance with the terms of his Motion to Sell Debtor's Jewelry Inventory, and
2. A copy of this Order shall be served on the Debtor, Debtor's counsel, the Trustee, and the Office of the U.S. Trustee.

[END OF ORDER]

Prepared by and Returned for service to:
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